



Dennis J. Duffin
Director

The Commonwealth of Massachusetts

*Office of
Campaign & Political Finance*

One Ashburton Place, Boston 02108

727-8352

January 26, 1984

AO-84-2

Ms. MaryAnn Hart
131 Antrim Street
Cambridge, MA 02139

Dear Ms. Hart:

You have recently requested an advisory opinion as to the permissibility of being both the Chair of MASS-PLAN, the political action committee of the Massachusetts Nurses Association, and an employee of a Massachusetts state senator.

G.L. c. 55, Section 13, provides in relevant part that, "No person employed for compensation, other than an elected officer, by the commonwealth or any county, city or town shall directly or indirectly solicit or receive any gift, payment, contribution, assessment, subscription or promise of money or other thing of value for the political campaign purposes of any candidate for public office or of any political committee, or for any political purpose whatever, but this section shall not prevent such persons from being members of political organizations or committees." It has been a long-standing and consistent interpretation by this office that an individual subject to the provisions of this section may not be the treasurer of a political committee, given the responsibilities imposed on that office by C. 55.


The issue concerning the permissibility of such an individual being the Chair of a political committee also poses certain problems under the law. While it is possible for you to carry out the responsibilities of Chair, the campaign finance law clearly places severe restrictions on your activities. You state in your letter that your role as Chair within the PAC is limited to presiding at board meetings, voting on candidate endorsements, and getting nurses involved in the non-fundraising aspects of political campaigns and party organizations.

Ms. MaryAnn Hart
January 26, 1984
Page Two

While such activity does not appear to violate Section 13, as a person employed for compensation by the commonwealth you must avoid any activity that would appear to be directly or indirectly soliciting or receiving anything of value for political purposes.

This opinion has been rendered solely on the basis of the facts as represented by you, and no independent investigation of your activities has been conducted.

Very truly yours,


Dennis J. Duffin
Director

DJD/mam